

Todd D. Riebe
District Attorney



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July 16, 2019

MuckRock News
Department MR 76633
411A Highland Avenue
Somerville, MA 02144-2516

Re: CPRA Response

Dear Mr. Rubins:

I have received your response sent via email on July 4, 2019 at 6:43 p.m., wherein you request "[a]ll Brady lists, Giglio lists, potential impeachment disclosure lists or any similar compiled records or lists of records of the type set forth in California Penal Code section 832.7(b)(1)(C)."

Please be advised that the Amador County District Attorney's Office objects to your request on the grounds that: (1) the records pertain to pending litigation in which the public agency is a party; (2) involve records of complaints to or investigations conducted by a local police agency; (3) disclosure of the records is exempted or prohibited by state law, and (4) the records reveal an agency's deliberative processes, discussions, impressions, evaluations, opinions, and recommendations. (See Cal. Gov't Code secs. 6254(b), 6254(f), 6254(k), 6254(p); *Commission on POST v. Superior Court* (2007) 42 Cal.4th 278, 289; *Copley Press, Inc. v. Superior Court* (2006) 39 Cal.4th 1272; *Pasadena Peace Officer's Association v. Superior Court* (2015) 240 Cal.App.4th 268, 285-288; *Cook v. Craig* (1976) 55 Cal.3d 773, 782-783; *Haynie v. Superior Court* (2001) 26 Cal.4th 1061.)

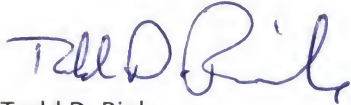
In an effort to assist you with your request, SB 1421, which amended Penal Code section 832.7, makes the following peace officer personnel files available for public inspection:

- An incident involving the discharge of a firearm at a person by a peace officer or custodial officer;
- An incident in which the use of force by a peace officer or custodial officer against a person resulted in death, or in great bodily injury;
- Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in sexual assault involving a member of the public; and
- Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency of dishonesty by a peace officer or custodial officer

directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including, but not limited to, any sustained finding of perjury, false statements, filing false police reports, destruction, falsifying, or concealing evidence.

As the Amador County District Attorney's Office is not the custodian of records for these confidential peace officer personnel records, I suggest that you contact the law enforcement agencies directly.

Sincerely,

A handwritten signature in blue ink, appearing to read "Todd D. Riebe". The signature is stylized with a large, looped "R" and a trailing flourish.

Todd D. Riebe
District Attorney